



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| In re:      | Patent Application of<br>Carlo M. Croce <i>et al.</i>  | : Group Art Unit: 1636<br>:<br>:<br>:   |
| Appln. No.: | 09/513,888   | : Examiner<br>: Bronwen M. Loeb, Ph.D.<br>:<br>:                                  |
| Filed:      | February 25, 2000  | : Attorney Docket<br>: No. 9855-30U1<br>: 209855.0081<br>: (OTT-3157-1)<br>:<br>: |
| For:        | COMPOSITIONS, KITS, AND<br>METHODS RELATING TO THE<br>HUMAN <i>FEZ1</i> GENE, A NOVEL<br>TUMOR SUPPRESSOR GENE FOR<br>INHIBITING ARGINASE ACTIVITY | :<br>:<br>:<br>:<br>:<br>:  |

**DECLARATION OF CARLO M. CROCE UNDER 37 C.F.R. § 1.132**

I hereby declare as follows:

1. I am the same Carlo M. Croce who is a co-inventor of the invention described and claimed in the above-identified application.

2. I am the same Carlo M. Croce who is a co-author of Ishii *et al.*, The *FEZ1* gene at chromosome 8p22 encodes a leucine-zipper protein, and its expression is altered in multiple human tumors, PNAS, 96 (7) 3928-33 (1999). 107-08, 1997, (hereinafter "the Ishii publication").

4. R. Baffa, S.I. Numata, Y. Murakumo, S. Rattan, H. Inoue, M. Mori, V. Fidanza, and H. Alder did not invent the subject matter of pending claims 1-18, 20-22, 25, 67, 90, 91, but were merely co-authors of the Ishii publication.

5. The subject matter of each of claims 1-18, 20-22, 25, 67, 90, 91 was invented by Hideshi Ishii and/or myself.

6. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: \_\_\_\_\_

Carlo M. Croce